

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

SIOUX STEEL COMPANY, a South)	CIV. 15-4136
Dakota corporation,)	
)	
Plaintiff,)	
)	PLAINTIFF’S MOTION TO STRIKE
vs.)	DEFENDANT’S EXPERT WITNESS
)	JOHN W. CARSON
KC ENGINEERING, P.C., an Iowa)	
corporation,)	
)	
Defendant.)	

Plaintiff Sioux Steel Company (“SSC”), by and through its attorney of record, hereby moves the Court for an *Order* striking the opinion offered by Defendant’s expert, John W. Carson. This Motion is brought pursuant to Federal Rule of Evidence 702, and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). In addition, SSC seeks to disqualify Mr. Carson pursuant to the Court’s inherent power to disqualify expert testimony. *See U.S. v. Salamanca*, 244 F.Supp. 2d 1023, 1025 (D.S.D. 2003). In support of its Motion, SSC relies on Plaintiff’s Memorandum in Support of Motion to Strike Defendant’s Expert Witness John W. Carson, and Affidavit of G. Verne Goodsell in Support of Plaintiff’s Brief in Support of Motion to Strike Causation Opinion of John W. Carson, which are filed herewith, and incorporated herein by reference.

WHEREFORE, SSC respectfully requests its Motion be granted and an order be entered by the Court striking Mr. Carson’s testimony.

Dated this 16th day of March, 2018.

/s/ G. Verne Goodsell – Filed Electronically

G. Verne Goodsell
Nathan R. Oviatt
Goodsell Quinn, LLP
PO Box 9249
Rapid City, SD 57709
verne@goodsellquinn.com
nate@goodsellquinn.com
(605) 343-3000
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Plaintiff, hereby certifies that a true and correct copy of the foregoing *Plaintiff's Motion to Strike Defendant's Expert John W. Carson* was filed and served electronically on the 16th day of March, 2018, with the Clerk of Court using the Odyssey File and Serve system:

Michael F. Tobin
mftobin@boycelaw.com

Meghann M. Joyce
mmjoyce@boycelaw.com

Mitchell W. O'Hara
mwohara@boycelaw.com

/s/ G. Verne Goodsell – Filed Electronically

G. Verne Goodsell